

Fair and cooler today;
warmer tomorrow; light
winds

The Washington Times.

THIRTY PAGES.
THREE SECTIONS.

NUMBER 3374.

WASHINGTON, SUNDAY, SEPTEMBER 6, 1903—THIRTY PAGES—

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PRICE FIVE CENTS.

Government Will Revive Suit for Two Millions Against Daly Interests

No Cessation of Prosecution
in Action to Recover on
Account of Denuding the
Montana Forest Lands.

Case Dismissed on Techni-
cally to Be Reinstated
Without Prejudice to Unit-
ed States Interests.

Timber-Grabbing Corpora-
tions Charged With De-
vastation Netting Several
Million Dollars.

A legal battle of truly gigantic proportions, and one on which the attention of the entire Northwest is centered, is now waging between the United States Government, on the one hand, and the Amalgamated Copper Company, of Montana, on the other. Suit was recently begun by the Department of Justice to force this company, which is built upon the Daly interests, to disgorge \$2,000,000 alleged to have been realized out of timber depredations of vast extent in western Montana. Technically, the suit was dismissed, but preparations have been made for its reinstatement without prejudice to the status of the prosecution.

Hundreds of square miles of valuable timber land are declared to have been devastated. In all the long list of depredations committed by timber thieves against the Government, none has compared with these, if the charges made in the bill of complaint filed by the Government are true. For years the denuding of the Government property went on, and not until recently did it seem possible to bring those responsible to account.

Even now, it is charged, the action against the Amalgamated Copper interests, which was begun early last summer in the Circuit Court of the United States for the District of Montana, has been dropped on account of a technicality. Here in Washington, however, it is vigorously denied that the prosecution for the timber depredations is to halt. At the Interior Department, where the investigations of the timber robberies were first begun, it is asserted by high officials that the prosecutions are being urged with all possible energy.

While the Interior Department has turned the matter over to the Department of Justice, the officials of the former department are still in close touch with the case, and they say the progress the Department of Justice is making is satisfactory.

The suit against the Amalgamated Copper interests is not the only one of this kind in which the Government is interested in Montana. There is also an action pending against Senator W. A. Clark, the Montana millionaire, and William Cobban, who are accused of fraudulent entry on large tracts of timber land.

In the action against the Amalgamated Copper interests, the defendants named are the Bitter Root Development Company, the Anaconda Mining Company, the Anaconda Copper Mining Company, Margaret P. Daly, as executrix of the last will and testament of Marcus Daly; John R. Toole, William W. Dixon, William Scallan, and Daniel J. Hennessy.

The suit was instituted by Attorney General Knox, following complaints and investigation by the Interior Department, on which shrewd and painstaking Secret Service officers made careful research into the colossal inroads on the forests of the Government in western Montana, and especially in Missoula and Ravalli counties.

President Takes a Hand.
It is believed President Roosevelt himself has strongly sanctioned the prosecutions of the timber destroyers, and he is as fully bent on stopping the system by which the Government timbered property is despoiled, as he is on the merger crusade.

Nearly two years ago, W. B. Rodgers, who was United States attorney in Montana, brought the first suits to recover for the timber destroyed in western Montana. Lately on the part of Rodgers has been freely charged, and it has been said he was at least lukewarm toward the Amalgamated Copper Company. At any rate the suits were not brought to a prosecution while Rodgers was in office, and he has since become an attorney for the company.

Special United States Attorney Fred A. Maynard has been detailed by the Department of Justice to prosecute the Amalgamated Copper case, and the case against Clark and Cobban, with United States Attorney Carl Raach, of Montana, acting in an advisory capacity. It was through the efforts of Maynard that the suit against the Amalgamated Copper Company for two millions was recently begun. On going to Montana he declared he was there, without fear or favor, to have justice done, and said the President

(Continued on Fifth Page.)

HERRAN HAS NO NEWS OF CANAL TREATY

Discredits Report of Panama
Men Leaving Congress.

WOULD BE A MISFORTUNE

Might Indicate Beginning of Revolution
On Isthmus—No Advice Received
Here From Minister Beaupre.

Dr. Herran, the Colombian charge, does not credit the dispatches from Panama stating that all the Panama members of the Colombian congress have left Bogota. Last night Dr. Herran had a dispatch from his government in which no mention of the canal treaty was made. This dispatch was dated August 29, four days later than the Panama members are supposed to have walked out of congress. If it were true that the isthmian delegation had left Bogota Dr. Herran thinks it impossible that his government should have failed to notify him of such action.

Blow to the Canal.
The withdrawal of the Panama delegation would indicate a serious break in the canal supporters, as several of the most influential friends of the treaty are from the isthmus. In Dr. Herran's opinion the withdrawal of these men would be a terrible blow to the canal and a movement of such importance that it would be reliably reported from Bogota immediately rather than circulated in a dispatch from Panama which gives no authoritative statement.

Advices have been received in Washington which confirm the rumor of the leaving of the Panama members. The State Department has been unable to obtain any communications from Minister Beaupre for several days, however, and officials believe there must be something wrong with the telegraph lines or the cable. Dispatches to Minister Beaupre from the State Department are unanswered and Secretary Hay is at a loss to explain the delay.

May Mean Panama's Secession.

Rumors from Panama are to the effect that the departure of the delegation from Bogota may be the beginning of the revolution which is said to be on foot for the purpose of establishing a separate government on the isthmus and making the immediate construction of the Panama canal treaty possible.

Dr. Herran has not asked for an extension of the time for the ratification of the treaty, and has no thought of making such request until he has additional information from his home government.

KING PETER OF SERBIA HELD AS PRISONER?

Vienna Report Says Officers De-
mand Punishment of Murderers.

VIENNA, Sept. 5.—It is reported that King Peter, of Serbia, is being held a prisoner by some of the officers at Nisch, who are agitating the punishment of the murderers of King Alexander and Queen Draga. They are supported in their agitation by General Janjovic, who is in command of the Nisch division.

The tension between the two parties advocating and opposing the punishment of the murderers is rapidly approaching a crisis, and it is feared that a sanguinary clash will occur. Prince Arsen, the King's brother, is endeavoring to mediate between the two parties and avoid a collision.

ONE MILLION ESTATE A MERE BAGATELLE

NEWPORT, R. I., Sept. 5.—It is said that Mrs. Oliver Belmont, who was presented with the Marble House by her former husband, W. K. Vanderbilt, has now offered the property, valued at \$1,000,000, to his second wife as a gift, for the reason that she never expects to have any use for the place.

WRECK ON BURLINGTON.

OREGON, Ill., Sept. 5.—The St. Paul and Minneapolis limited, which left Chicago last night at 6:30 on the Burlington road, was wrecked early today half a mile east of Chana, near this city. The fireman was thrown from the engine and instantly killed. The passengers received a severe shaking up, and were badly scared, but none of them was seriously injured.

RAILROAD WON'T GIVE IN.

ST. PAUL, Sept. 5.—A hitch has occurred in the negotiations between the Great Northern officials and their engineers and firemen. It is said the company would not accede to the demands.

NEW YORK SENATORS BY POPULAR BALLOT

Tammany Leader's Resolu-
tion Passes Committee.

DEMOCRATS ARE IN ACCORD

"Next State Convention Should Pro-
vide for a Nomination by
the People."

ALBANY, N. Y., Sept. 5.—The Hon. Denis O'Brien, of the court of appeals, was renominated today as a candidate for the office which he now fills, by the Democratic State committee at its meeting at Democratic State headquarters.

Charles F. Murphy, leader of Tammany Hall, offered the following resolution which was adopted:

"Whereas effort pursuant to the provisions of the Federal Constitution has been made in many States to obtain a constitutional amendment providing for the election of United States Senators by direct vote of the people, and

"Whereas interests opposed have thus far prevented favorable action upon the part of a sufficient number of the State legislatures, including the Legislature of the State of New York, which, in violation of an overwhelming public sentiment, has failed at the dictation of State and Federal Republican leaders to adopt a resolution demanding the submission of a proposed amendment to the States; now, therefore be it

"Resolved by this Democratic State convention, That the next call for a Democratic State convention for the nomination of candidates for State officers shall provide also for the nomination of a candidate for United States Senator, the candidate of the convention to be the party candidate, and to be voted for by the Democratic members of the Legislature for Senator in Congress, and, be it further

"Resolved, That this committee, in so far as it has power, does hereby declare to be the party purpose and rule to nominate in the future candidates for this high office to the end that Senators in Congress may be virtually chosen by the people."

A MILLION CLAIMED IN MANILA BAY PRIZE CASE

The final claim made on behalf of the captors in the Manila Bay prize case has been set forth in a brief just filed by counsel for the libellants. The total claim is \$990,329.50. As soon as briefs are submitted on both sides, the case will be submitted to the District Supreme Court.

HOW THE PRESIDENT WILL SPEND LABOR DAY

Flying Trip and Important Speech
at Syracuse.

OYSTER BAY, Sept. 5.—Secretary Loeb this evening made public the official program of the President's trip to Syracuse, as follows:

Leave Oyster Bay, September 6, 3 p. m.; arrive at Thirty-fourth Street, New York, 10:30 p. m.; leave Christopher Street, 11:15 p. m.; arrive Syracuse, September 7, 9:30 a. m.

Upon arrival at Syracuse the President will review the Labor Day parade and then return to his train. The train will then proceed to the Fair grounds, where the President will deliver an address, which will be followed by an informal luncheon.

At the conclusion of the luncheon the President and party will return to Syracuse, where the President will review the letter-carriers' parade.

In the evening the President and party will attend a dinner given by the Hon. Frank Hiscock.

Leave Syracuse 9:30 p. m., September 7; arrive Christopher Street, New York, September 8, 7:30 a. m.; leave East Thirty-fourth Street, 8:30; arrive Oyster Bay, 10 o'clock.

FREIGHT STEAMER SINKS FIVE-MASTER

QUARANTINE, S. I., Sept. 5.—The German freight steamer Schoenfeld, Captain Groot, which arrived this evening from Calcutta, via Boston, collided with and sunk the five-master schooner Jennie R. Dubois, of West Mystic, Conn., Captain Senede, bound from Philadelphia for Boston with a cargo of 3,300 tons of coal.

The collision occurred at 7 o'clock this morning seven miles southeast of Block Island during a dense fog. The steamer struck the schooner amidships with such impact that the latter sank within five minutes. The Schoenfeld lowered her boats and succeeded in rescuing the entire crew of eleven men. One of the schooner's crew had his leg broken in the collision.

SECRETARY HAY AWAITS ADVICES FROM LEISHMAN

The Utmost Secrecy on
Turkish Affairs Is Now
Being Observed.

ADMIRAL COTTON "MUM"

American Naval Officer Fails
to Tell of Conditions
at Beirut.

It is considered an absolute certainty that Secretary Hay has prepared full instructions for the guidance of Minister Leishman, at Constantinople, and that these went forward by cable last night. This is denied at the State Department, where the utmost secrecy is maintained.

So far as official information goes, the entire day presented an appearance of quietude in the Turkish situation, with nothing accomplished by either the State or Navy Department. It was emphatically declared that no advices were received from Minister Leishman throughout the day.

Cotton Announces Arrival.

Acting Secretary Darling received a cablegram from Admiral Cotton announcing the arrival of the Brooklyn and San Francisco off Beirut. He gave no intimation as to the situation there. The arrival of the gunboat Machias at Port Said has not yet been reported.

The examination of treaties and precedents begun Friday by Secretary Hay and Assistant Secretary Adeo was continued. It is believed that if matters become worse the United States will make a determined effort to have a small warship admitted to the Dardanelles. On previous occasions, when trouble has arisen at Constantinople, the United States has made representations to the powers signatory to the treaty of Berlin, and also to Turkey, that this Government must insist on the right to protect its diplomatic officers wherever they may be located, and that any treaty which denies this right cannot be recognized by the United States.

Awaiting a Crisis.

There is no question but that similar representations will be made if the situation becomes more critical than at present. If Minister Leishman should report that his life is endangered, in powers will be asked for permission to enter the Dardanelles.

From the examination of treaties and precedents at the State Department, it is almost certain that if a condition should arise similar to that which prevailed at Pekin during the Boxer uprising American warships would be ordered to pass the Dardanelles without the consent of Turkey or the powers. The necessary explanations would be made afterward. Such a condition is not now anticipated, as it is believed here that the powers will before that time take control of Constantinople and maintain order.

The Navy Prepared.

Officials of the Navy Department, as well as those of the State Department, have made a careful study of the situation. They have considered every possible method by which assistance could be rendered Minister Leishman, Consul General Dickinson, and the other American officials in Constantinople. All these calculations have been based on the possibility of matters becoming critical. None of the plans discussed are for immediate execution, but all dependent on future contingencies.

A new plan was suggested yesterday. It provides for a British guardship to go outside to some open port and return with American marines, landing them at the closest point of access to the legation. This would diminish the degree of offense that might be given the Turkish government.

Should Pass Dardanelles.

Should strenuous action become necessary, naval officials here believe that American warships could easily pass the forts guarding the Dardanelles, and enter the harbor of Constantinople. The Turkish soldiers are not regarded as expert with modern seacoast defense artillery. The forts are known to be fully equipped with modern ordnance, but the marksmanship of the Turkish troops is said to be no better than that of the Spanish during the recent war with the United States.

Acting Secretary Darling made no response of any kind to the cablegram from Admiral Cotton. The ships now off Beirut will not be disturbed during the period that Admiral Cotton is making his investigation into the attack on Vice Consul Magelsen. An alleged dispatch purporting to give the instructions transmitted to Admiral Cotton by the authorities here was pronounced false. It is positively said that no instructions of any character have been given him. His report on conditions and the Magelsen incident will first be awaited.

It is now believed that if Admiral Cotton should report sooner than is expected, the Brooklyn and San Francisco would be permitted to remain off Beirut until the situation at Constantinople develops, and the officials decide what action there is necessary.

If Minister Leishman reports matters growing worse, it is almost certain that the ships will be ordered to take aboard the Americans at Beirut and sail north to be in readiness to assist those imperiled at Constantinople.

EXPLORER PEARY GIVEN A THREE YEARS' LEAVE TO SEEK NORTH POLE

RUMOR SAYS TURKS PASS THE FRONTIER

Sultan Timid in Face of Urgent Recommendations on Part
of the Council of War.

BERLIN, Sept. 5.—The "Tageblatt's" Constantinople correspondent wires that war with Bulgaria is in sight, and that it is rumored there that Turkish troops have already crossed the Bulgarian frontier without waiting for a formal declaration of hostilities.

He says that the council of war has recommended sending an immediate ultimatum to Bulgaria, but that the Sultan has decided to wait. Edhem Pasha has been designated as commander-in-chief of the Turkish forces.

SOFIA, Sept. 5.—"Autonomyes" says that the report which has been given wide circulation to the effect that the insurgents had succeeded in dynamiting a troop train, is entirely without foundation.

A report reaches here that six battalions of Turkish regulars, under the command of Ishmail Pasha, attacked the strongly entrenched position held by

1,500 insurgents near Ekshisha on Thursday. The result is unknown.

A sensation has been caused by the publication in the official organ "Dnevnik," that that paper has obtained a copy of a treaty of alliance between Russia and Bulgaria. The terms of this treaty, according to "Dnevnik," guarantee that in case of war between Bulgaria and Turkey, the Czar's government will take an active part in co-operating with the former nation.

Many rumors have been put forth as to the reason for this publication, in view of the fact that "Dnevnik" enjoys the entire confidence of Prince Ferdinand, and is controlled by Minister Popoff. The generally accepted theory is that the Bulgarian officials authorized the publication as a threat in order to let the Sultan understand that it is dangerous to threaten drastic measures in so far as Bulgaria is concerned.

BELIEVE MILLER CASE ALMOST AT AN END

Interested Persons Await-
ing President's Decision.

EXPECTED AT ANY HOUR

Fellow-Workmen Believe Chief Execu-
tive Will Soon Take Action
in the Matter.

President Roosevelt's final decision in the Miller case had not been received from Oyster Bay by Public Printer Palmer up to a late hour last night. In view of the rumor that the President would surely reach a decision before Labor Day, and because the charges brought against Miller have been thoroughly investigated by Secretary Cortelyou and Commissioner Garfield, of the Department of Commerce and Labor, a decision is expected here hourly.

Not Probed by Palmer.
Mr. Palmer said yesterday that the charge of bigamy against Miller had not been taken up by him, intimating that whatever investigation had been carried along this line was made by Secretary Cortelyou and Mr. Garfield.

Secretary Cortelyou and Mr. Garfield were both in New York yesterday, and it is thought they have made a complete report to the President in regard to the Miller case.

INTEREST AT BIG SHOP.

The Government Printing Office remained open until 4:30 yesterday, the usual custom except during July and August, when it closed at 3 o'clock on Saturdays. News from Oyster Bay was anxiously awaited until the time of closing. Miller is reported to be undisturbed by the reports of an early dismissal.

Nothing more has come to the Civil Service Commission in regard to the Miller case. The matter is entirely in the hands of the President and should be dismissed Miller—which it is thought he will do—there will be no appeal.

FIERCE ELECTRICAL STORM IN NEW YORK

NEW YORK, Sept. 5.—A fierce electrical storm swept over the five boroughs which go to make up Greater New York, between 4 and 5 o'clock this afternoon.

The only fatality reported, however, is from the borough of the Bronx, where Percy Barrows, nineteen years old, was instantly killed, having been struck by lightning. His friend, Charles Goetz, fifteen years old, with whom he was walking at the time, was badly burned and shocked. He was removed to the hospital, where he is expected to recover.

AN ANGLO-CANADIAN SYNDICATE FORMED

LONDON, Sept. 5.—An Anglo-Canadian cable syndicate has been formed and will, at once begin to make arrangements for the establishment of a direct independent cable service between England and Canada, with a tariff of 12 cents a word for ordinary cablegrams, and 9 cents a word for press messages.

The offices of the Anglo-Canadian cable syndicate, as the firm is styled, are at 34 Great Street, Helens, London, E. C.

No. 1 Blinds, \$1 a Pair.
Libby & Co., 6th st. and N. Y. ave.—Adv.

Intrepid Arctic Traveler Re- ceives President's Ap- proval and Navy Depart- ment's Praise of Plan.

To Transport Entire Eskimo
Tribe to Within 500 Miles
of Coveted Goal, to Form
Base of Supplies.

Novelty of Plan Praised by Acting Secretary Darling, Who Expects the Expedi- tion to Be Successful.

Capt. Robert E. Peary will make another attempt to reach the North Pole. He has been granted a three years' leave of absence by the Navy Department and will start for the northward with the indorsement of President Roosevelt and the commendation of Acting Secretary Darling and other prominent officials of the Navy Department.

Plans for Captain Peary's trip were made public yesterday afternoon by Mr. Darling, when he announced the granting of leave of absence to Captain Peary. This Arctic expedition will be different from any previous expedition. Captain Peary's long experience in the far north has given him a knowledge of the country and its possibilities which has shaped his plans.

Features of the Plan.

Captain Peary will start for the north next summer. His leave begins April 1. He will go to Cape York, Greenland, on Smith Sound. There he will take on board his ship the entire tribe of Whale Sound Eskimos, numbering nearly 100. He will carry this tribe to the north shore of Grantland, where the colony will settle and form a base of supplies for the Arctic party; less than 500 miles from the North Pole.

This is the unique feature of the proposed expedition. Captain Peary's friendly relations with the Eskimos make it possible for him to move the little tribe to Grantland, where conditions are such that they can live and make a base of supplies several hundred miles nearer the North Pole than other parties have had. Then members of the tribe are to form the party which will accompany Captain Peary on his hazardous trip over the ice. Captain Peary will be accompanied probably by one other white man, and the remainder of the company, which will, doubtless number about twenty, will be Eskimos.

Final Attempt in 1905.

The dash over the ice for the North Pole will begin about February 1, 1905. Dogs will be used to haul the sledges and the party will make better time than has been made by other expeditions, as it will be small, and every member of it will be a trained Arctic man, accustomed to the rigors of that climate. For some distance the trips will be over extremely rough ice, which the Eskimos are able to pass over with much greater skill than any other class of explorers. Captain Peary hopes to reach the North Pole, and to return to his base of supplies in time to get back to the United States early in the fall of 1905.

American and British Aid.

Captain Peary has not yet selected the men who will accompany him to Grantland from the United States. He will have a powerful wooden vessel, equipped with heavy machinery and well sheathed with metal to enable it to battle with the ice. Previous expeditions are believed to have failed in some cases because of the slowness of their vessels.

Although Captain Peary has not been assured all the financial aid necessary to make his expedition a success, he will be assisted by the Peary Arctic Club, of New York, of which Morris E. Jessup, is president, and will have the assistance of Englishmen interested in Arctic exploration. He also hopes to interest other American societies in the expedition. The Government has not pledged Captain Peary financial support, but that he will start with the good wishes of the Administration is shown in the following letter from Acting Secretary Darling, of the Navy Department:

Secretary Darling's Letter.

"In granting you leave of absence for the purpose of prosecuting your Arctic work, I am moved to remark that I believe you are better equipped than any other person in the country to undertake this work. You have the requisite courage, fortitude, and physique. You have had a longer term of service within the Arctic circle than any other explorer. You have had large experience in sledge journeying both upon the land and upon the ice conditions through the Smith Sound and north of Grantland and the continent. You have demonstrated your ability to maintain yourself in this latitude for a longer period in health and safety than any other explorer. You